

**HHSEGS (11-AFC-02)
REBUTTAL
TESTIMONY OF C.R. MACDONALD**

**NEWS ARTICLE
"OCTILLO WIND EXPRESS MANAGER ARRESTED"
IMPERIAL VALLEY PRESS
EXHIBIT 759**

Ocotillo Wind Express manager arrested

By ALEJANDRO DÁVILA
Staff Writer Imperial Valley Press
11:48 p.m. PST, February 7, 2013

OCOTILLO — A recent confrontation between a resident known for vocally opposing and videotaping the 112 turbines being erected west of here resulted in the arrest of a high-ranking Ocotillo Wind Express construction manager.

Russell Graham, a construction manager for Pattern Energy's Ocotillo Wind Express, was arrested Tuesday, said Imperial County sheriff's Sgt. James Duran. Graham was arrested in connection of attempted robbery and allegations of criminal threats, but no weapons were involved, he said. Graham was released the same day on bail.

The incident stems from a verbal altercation between the parties involved, said Duran, who explained the incident is still under investigation and that the case will be submitted to the District Attorney's Office for review today.

"There was an incident with a representative and it wasn't pretty and he was arrested," said the alleged victim and Ocotillo resident Parke Ewing, who didn't elaborate on the matter. Ewing did say that the alleged incident occurred around 11:30 a.m. Tuesday.

Linda Ewing said her husband was videotaping the site when Graham came over to Ewing's Jeep. She further alleged that Graham became confrontational and tried to grab Ewing's camera.

"I'm kind of figuring out how to get a restraining order against this guy," she said while referring to Graham.

Some Ocotillo residents who oppose the project habitually take pictures or videos of construction activities at the site. Parke Ewing is one who's been posting videos on YouTube depicting the project. In one of the latest videos posted in early January, **Ewing shows a lone turbine spinning and alleges that this turbine isn't turning fast enough to produce energy. (EMPHASIS ADDED FOR TESTIMONY)**

Ocotillo residents have long sustained the area lacks the wind resources to justify the project. And while a 2007 geographic information system map developed by the National Renewable Energy Laboratory shows the southwestern end of the county as having "marginal" wind resource potential, the same map shows the area also holds "superb" resources. Other reports show similar findings.

In another video posted in late December, Ewing shows construction workers and alleges through his narration that workers stopped working as soon as he came close to the site as they waited for a water truck. "They are always lacking of water until one of us from Ocotillo shows up ... and then they start applying water," Ewing alleges in the video.

While the latest monitoring report posted on www.ocotilloeccmp.com good from Jan. 7-13 doesn't list any violation, previous reports do note issues/concerns over dust suppression, trash management and generator emissions, among others. Some of these concerns appear on previous reports as well, though previous reports also note the contractor addressed concerns.

Those who oppose the project are convinced about their allegations and are suspicious about the project on all levels. And Ewing, whose home is located just over a half mile from where turbines stand noted in an interview Thursday that "this project has taken a toll on us ... it's affecting everybody, the employees and everybody ... it's even taken a toll on their own employees."

Pattern Energy didn't immediately respond for comment by press time.